

# NEWS RELEASE

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For Immediate Release  
January 20, 2006

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## **Project Safe Neighborhoods: Two Peoria Men Charged with Possessing Guns after Felony Convictions**

Peoria, IL- Rodger A. Heaton, United States Attorney for the Central District of Illinois, announced that the federal grand jury in Peoria returned indictments today against two Peoria men. Both cases are being prosecuted as part of the Department of Justice's ongoing Project Safe neighborhoods initiative by Assistant U.S. Attorney Bradley W. Murphy.

The indictment against Terrill T. Thomas, 34, of 2108 W. Kettelle, Peoria, charges him with two counts of possession of a controlled substance with the intent to distribute; possession of a firearm in furtherance of a drug trafficking crime; and being a felon in possession of a firearm. Thomas was previously arrested and charged by federal criminal complaint on January 3, 2006, and was ordered detained in federal custody by U.S. Magistrate Judge John A. Gorman.

According to the indictment and the affidavit filed in support of the complaint, on December 28, 2005, Thomas allegedly possessed five or more grams of crack cocaine and heroin and a 9 mm pistol. According to the affidavit, officers with Peoria Police Department's Special Investigations and Patrol Divisions conducted a vehicle stop of a van in which Thomas was a passenger. When officers conducted a lawful search of Thomas, they found a 9mm handgun in his waistband and more than five grams each of crack cocaine and heroin.

If convicted, each drug offense is punishable by a minimum five to 40 years in prison. If a defendant has one or more prior felony convictions, the mandatory minimum penalty is 10 years to life imprisonment. For the offense of possession of a firearm in furtherance of drug

trafficking, the penalty is a mandatory five years in prison to be served consecutive to any sentence for the underlying offense. For possession of a firearm by a felon, the maximum statutory penalty is up to 10 years in prison and a fine of up to \$250,000. However, if a defendant is determined to be an Armed Career Criminal under the provisions of federal law, the penalty increases to a minimum of 15 years imprisonment.

The charges against Thomas are the result of an investigation by the Peoria Police Department and the Drug Enforcement Administration.

In a separate case, the grand jury charged Kenneth Barnett, 34, of 909 S. Gomo, Peoria, with one count of possession of a firearm by a felon. The indictment alleges that when Peoria Police officers conducted a lawful search of Barnett on January 2, 2006, they found a loaded .45 caliber pistol. Barnett was charged in a criminal complaint filed in federal court on January 4, 2006, and was ordered detained in federal custody by U.S. Magistrate Judge John A. Gorman.

Barnett allegedly has prior felony convictions, including three convictions in Knox county for delivery of a controlled substance in 2000 and 1996, and possession of a controlled substance in 1999. According to the indictment, Barnett also has a prior conviction in Peoria county for unlawful use of weapons in 1995.

If convicted, the offense of possession of a firearm by a felon carries a maximum statutory penalty of 10 years in prison and a fine of up to \$250,000. However, if a defendant is determined to be an Armed Career Criminal under the provisions of federal law, the penalty increases to a minimum of 15 years imprisonment.

The charge against Barnett is the result of an investigation by the Peoria Police Department and the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Members of the public are reminded that indictments are merely accusations; the defendants are presumed innocent unless proven guilty.